

**HISTORIC PRESERVATION COMMISSION**  
**HEARING MINUTES**

**NOVEMBER 23, 2010**

<b>Commissioners</b>
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Scott Winnette, Chairman (not present)

Robert Jones, Vice Chairman

Timothy Wesolek

Joshua Russin (not present)

Gary Baker

Shawn Burns

Brian Dylus, Alternate (not present)

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<b>Aldermanic Representative</b>
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Michael O'Connor

<b>Staff</b>
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Emily Paulus, Historic Preservation Planner (not present)

Lisa Mroszczyk, Historic Preservation Planner

Scott Waxter, Assistant City Attorney

Nick Colonna, Division Manager of Comprehensive Planning (not present)

Shannon Albaugh, HPC Administrative Assistant

**•I. Call to Order**

Mr. Jones called the meeting to order at 6:00 P.M. He stated that the technical qualifications of the Commission and the staff are on file with the City of Frederick and are made a part of each and every case before the Commission. He also noted that the Frederick City Historic Preservation Commission uses the Guidelines adopted by the Mayor and Board of Aldermen and the Secretary of the Interior's Standards for Rehabilitation published by the U. S. Department of the Interior, National Park Service, and these Guidelines are made a part of each and every case.

All cases were duly advertised in the Frederick News Post in accordance with Section 301 of the Land Management Code.

**Announcements**

There were no announcements.

**II. Approval of Minutes**

**1. November 9, 2010 Hearing Workshop Minutes**

**Motion:** Timothy Wesolek moved to approve the November 9, 2010 hearing minutes and the November 9, 2010 workshop minutes as written.

**Second: Gary Baker**

**Vote: 4 - 0**

- **II. HPC Business**

**2. Vote on Clarifications to the *Frederick Town Historic District Guidelines***

**Discussion**

Mr. Jones stated that there are two matters in reference to materials for rehabilitation and the treatment. He went on to say that the approved language in Chapter 4C - Masonry Treatments: Brick, Concrete, Stone, Stucco on page 46 was "Painting previously unpainted masonry structures will not be approved except in those cases where it will help stabilize deteriorating brick and only with prior Commission approval." The proposed language is "The painting or coating of masonry structure that are not currently painted or coated will not be approved except in those cases where it will help stabilize deteriorating brick." Mr. Jones asked if there were any Commissioners that had an issue with any of the language that was being proposed. Mr. Baker suggested adding verbiage after "to stabilize deteriorating brick" to say if all other measures have failed or was it a part of a maintenance program that would help brick from leaking or deteriorating. Mr. Waxter thought that could be a part of any other motion they may have. When someone comes in to paint brick the Commission could say "I'm not going to approve this until we know for certain that other measures have been tried." Mr. Baker did not see a connection that somebody reading the Guidelines online could not say to the contractor the house is leaking and after reading the Guidelines it is implying that it can be painted if you tell me that it would help stabilize the deteriorating brick. Mr. Waxter suggested using the language "The painting or coating of masonry structures that are not currently painted or coated will not be approved. The Commission may grant approval in those cases where it will help stabilize deteriorating brick."

There were no changes to the second part which was Chapter 8, Guidelines for Landscapes & Streetscapes.

### **Painting Unpainted Brick**

**Motion:** Timothy Wesolek moved to recommend approval to the Mayor and Board of Aldermen the language that was presented with the amendments that were made to Chapter 4C, Part 5.

**Second:** Gary Baker

**Vote:** 4 - 0

### **Fences**

**Motion:** Timothy Wesolek moved to recommend approval to the Mayor and Board of Aldermen the new proposed language in regards to number 10 for finishes on wood fences.

**Second:** Gary Baker

**Vote:** 4 - 0

### **IV. Consent Items**

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**There were no consent items.**

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•V.      **Cases to be Heard**

**3. HPC10-373**

**209 E. 6<sup>th</sup> Street**

**Alecia Frisby**

Reconstruct garage, replace door on enclosed porch, patio door, storm windows, siding

*Lisa Mroszczyk*

**Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that this application concerns the reconstruction of the garage approved for demolition at the hearing on November 9, 2010 (HPC10-373). The new garage would be constructed utilizing the existing concrete block foundation and overhead door and will require the removal of a tree approximately 2 feet in diameter at the southeast corner of the building. It would have a gable roof similar to the existing and door/window openings facing the yard will approximate the locations of the existing. Other proposed materials for the garage include:

- CertainTeed XT25 asphalt shingles;
- Wood German lap siding;
- Wood sash entry door;
- Jeld-Wen aluminum clad wood 1/1 double hung window; and
- Non-pressure-treated wood stairs and landing.

The applicant also seeks approval for the following work to the principle building that dates from the 1890s:

- Install new Larson Gold Series storm windows at the remaining historic windows on the rear wing;
- Replace the non-original aluminum sliding windows with Jeld-Wen aluminum clad wood sliding windows;

- On the north wall of first floor rear addition replace the existing sliding patio door with a new Jeld-Wen aluminum clad patio door; remove one window; replace remaining window with a Jeld-Wen aluminum clad wood 1/1 double hung window and install German lap wood siding in the upper portion of the wall; and
- Replace a deteriorated 4x4 at the side porch in-kind.

NOTE: The application now includes retention of the wood door in the enclosed porch. The door will be retrofitted and weatherproofed which does not require approval from the HPC.

### **Applicant Presentation**

Alecia Frisby, the owner of 209 E. 6<sup>th</sup> Street, concurred with the staff report.

### **Commission Questioning Discussion**

Mr. Baker asked if the applicant was planning on using concrete or non-pressure-treated for the stairs to the garage. Ms. Frisby answered that non-pressure-treated wood was going to be used.

Mr. Baker asked if the garage was going to be taken down to the concrete slab. Don Frisby, father to the applicant, answered that it would go down to the slab level and then come back up with a frame and siding.

**Public Comment - There was no public comment.**

### **Staff Recommendation**

Staff recommends approval for the reconstruction of the garage as consistent with the Commission's *Guidelines* with the condition that the applicant submit for staff

approval the final wood (non-clad) door selection and that all wood be painted or stained with a solid color stain.

Staff recommends approval for the replacement of the aluminum sliding kitchen windows with aluminum clad wood sliding windows with the condition that the window opening is not enlarged or altered because it is a non-historic window opening and clearly conveys its 1960s-1970s vintage.

Staff recommends approval for the replacement of the existing sliding patio door with a new aluminum clad patio door, removal of one window, replacement of the remaining window with an aluminum clad wood 1/1 double hung window and installation German lap wood siding in the upper portion of the wall at the non-contributing one story rear addition because the proposed materials are appropriate and the alterations will not impact the significance of the overall building or site.

Staff recommends approval for the replacement of the porch post with the condition that it be painted or stained with a solid color stain.

Staff recommends approval for the installation of Larson Gold Series storm windows with the condition they fit within the existing opening and that the finish match the color of the surrounding trim or underlying window.

Staff recommends approval for removal of the tree because it is causing damage to the foundation of the garage which is proposed to be reused in its reconstruction.

**Materials to be approved:**

- Garage design according A1, A2 and A3 dated 8/25/10 and materials to be according to the Specifications stamped "Received Nov 15 2010"
- CertainTeed XT25 asphalt shingles
- Larson Gold Series storm windows

- Jeld-Wen aluminum clad patio door and windows

**Motion:** Timothy Wesolek moved to approve the application for the:

- Reconstruction of the garage as consistent with the Commission's *Guidelines* with the condition that the applicant submit for staff approval the final wood (non-clad) door selection and that all wood be painted or stained with a solid color stain;
- Replacement of the aluminum sliding kitchen windows with aluminum clad wood sliding windows with the condition that the window opening is not enlarged or altered because it is a non-historic window opening and clearly conveys its 1960s-1970s vintage;
- Replacement of the existing sliding patio door with a new aluminum clad patio door, removal of one window, replacement of the remaining window with an aluminum clad wood 1/1 double hung window and installation German lap wood siding in the upper portion of the wall at the non-contributing one story rear addition because the proposed materials are appropriate and the alterations will not impact the significance of the overall building or site;
- Replacement of the porch post with the condition that it be painted or stained with a solid color stain;
- Installation of Larson Gold Series storm windows with the condition they fit within the existing opening and that the finish match the color of the surrounding trim or underlying window;
- Removal of the tree because it is causing damage to the foundation of the garage which is proposed to be reused in its reconstruction.

For the scope of work that was stamped received on November 15, 2010 to tear down all of the blocks on the garage to the base/slab level so it can be rebuilt.

**Second:** Gary Baker

**Vote:** 4 - 0



**4. HPC10-391**  
**Corp.**

**19 W. 5<sup>th</sup> Street**

**Pegasus Home**

Demolition of one story concrete block section and rear porch  
**Russell, agent**

**James A.**

*Lisa Mroszczyk*

### **Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that the applicant seeks approval for the demolition of a one story concrete block addition and the partial demolition of second story rear porch with the roof being retained. At the time of application both features had been partially demolished.

### **Applicant Presentation**

David Simard, representing Pegasus Home Corporation, agreed with the staff report. He went on to say that the property was purchased in an "as is" shape and there was great disrepair. The porch was falling apart and the block wall was there when the house was purchased. Their intent was to remove the block wall since it is an eye sore and the porch was in such disrepair that that it would be better to tear it down and rebuild it.

### **Commission Questioning Discussion**

Mr. Baker asked if the property was like it is today when it was purchased. Mr. Simard answered yes except there was a great deal of trash and debris in the rear yard. Mr. Baker asked if portions of the porch were still there. Mr. Simard answered that there are still portions of the porch there. Mr. Baker asked if they had any responsibility for the removal of the structure as it may have appeared in a 1999 photograph. Mr. Simard answered that he could not say what it looked like in 1999 but he could say that the rear of the structure was in very poor shape when they acquired it.

**Public Comment - There was no public comment.**

### **Staff Recommendation**

Staff recommends the Commission find the one story concrete block addition to be non-contributing to the significance of the historic district because it detracts from the building and setting and has no architectural or historical value. Staff also recommends the Commission find the porch, not including the roof, to be non-contributing to the historic district because it lacks integrity of material and form.

Staff recommends the Commission approve the demolition of the one story concrete block addition and the remaining porch structure, not including the porch roof, subject to an approved replacement plan.

### **Contributing or Non-Contributing**

**Motion:** Shawn Burns moved to find the structure non-contributing to the significance of the historic district because it detracts from the building and setting and has no architectural or historical value.

**Second:** Timothy Wesolek

**Vote:** 4 - 0

### **Demolition**

**Motion:** Shawn Burns moved to approve the demolition of the one story concrete block addition and the remaining porch structure, not including the porch roof, subject to an approved replacement plan.

**Second:** Gary Baker

**Vote:** 4 - 0

**5. HPC10-366  
Corp.**

**19 W. 5<sup>th</sup> Street**

**Pegasus Home**

**Reconstruct porch  
Russell**

**James A.**

*Lisa Mroszczyk*

### **Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that this application serves as the replacement plan for the demolition proposed in HPC10-391. The proposal includes the reconstruction of the second floor rear porch with pressure-treated wood. The porch floor structure will be supported by two 6x6 posts with a double beam and will extend approximately 2-6" beyond the edge of the existing porch roof. Two new 4x4 posts will be added to support the existing roof.

### **Applicant Presentation**

David Simard, representing Pegasus Home Corporation, stated that since staff recommended rebuilding the porch in the existing foot print they would agree to build it in such a manner. He added that the porch would be built in accordance with typical porch railing system.

### **Commission Questioning Discussion**

Mr. Baker asked if they were willing to modify the porch depth to conform with the existing roofline. Mr. Simard answered that it would not be a problem for them. Mr. Baker asked if they would be revising the drawing to note that change. Mr. Simard answered they could revise the drawings so that the roofline would be the same distance away as the end of the porch. Mr. Baker stated that to conform with the Guidelines and they would want to submit a revised drawing to show that the beam is flush with the floor joints and not resting below it. Mr. Simard stated that they would not have a problem with that.

Mr. Baker asked if the ceiling was going to be left exposed. Ms. Mroszczyk stated that according to the Guidelines it would be required that the first floor ceiling be finished and the second floor ceiling seems to be in poor condition so if that was to be replaced it should be replaced in-kind.

Mr. Baker asked if the concrete slab would be torn up once the block wall is removed. Mr. Simard answered they had no intention of tearing up the concrete slab because it is hard to say what is beneath the block itself. He stated he hoped the block would be resting to the side of the slab so topsoil could be put in once it is removed. He said that if there would be a concrete slab beneath the block they would try to level it out. He stated that they try to demolish the slab but it is hard to tell how deep the footers would be. Mr. Baker stated that demolition usually includes footings and slabs and leaving a concrete slab there is not going to comply with the Guidelines. Mr. Simard stated that they could demolish the footer if it would be reasonable to do so, if the footer goes down 10 or 15 feet it would not be feasible to dig down.

Mr. Baker suggested the applicant request a continuance so they could come back with more specific information. Mr. Wesolek agreed but wanted to give the applicant permission to investigate what is beneath the block wall to find out where the footers are and how deep they are. Mr. Simard agreed to the continuance.

**Public Comment - There was no public comment.**

### **Staff Recommendation**

Staff recommends denial of the application because the replacement design and materials are not based on physical evidence, do not resemble historic porches and are not appropriate to the style and age of the building.

**Motion:** Timothy Wesolek moved to continue the case to the December 21, 2010 hearing to give the applicant time to gather some additional information and to bring back some new drawings to present to the Commission at that time.

**Second:** Gary Baker

**Vote:** 4 - 0

**6. HPC10-429**

**126 W. 4<sup>th</sup> Street**

**Jon Meacham**

Raise bulkhead and install new cellar doors

*Lisa Mroszczyk*

### **Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that the applicant requests post-construction approval for the modifications to the bulkhead door on the front of a contributing resource. These modifications include raising the cheek walls approximately 12-16 inches and the installation of new metal doors.

### **Applicant Presentation**

Jon Meacham, the owner of 126 W. 4<sup>th</sup> Street, stated that the bulkhead was in the condition that it is now when the property was purchased and the top of the bulkhead is about 8 inches below the window sill.

### **Commission Discussion Questioning**

Alderman O'Connor asked if the picture from 2002 showed more of a historic height for the bulkheads. Mr. Meacham answered yes.

Alderman O'Connor asked the applicant if they would have an objection to a modification of the doors. Mr. Meacham said he would not have a problem with it because he did not like it himself. He thought it took away from the property historically and if you would look at other bulkheads in the street they look much nicer and they intend to make theirs look nice as well.

Mr. Jones stated that they would like to stick as close to the Guidelines as they could while still helping the applicant to reconstruct the entryway into the cellar.

Mr. Baker asked if there was a reason why the doors are there or was there been modifications to the wall under it. Mr. Meacham answered that once the Bilco doors are opened there is a small door that is the width of a normal door but about two-thirds the height. He did not know why the door was there because it is just an entryway to the actual door.

Mr. Baker stated that the neighborhood is full of this kind of detail and character which is the answer to many of the questions.

Mr. Wesolek suggested the applicant request a continuance to get more information to bring back to the Commission. Mr. Meacham stated that if he could get a continuance until sometime in January it would be great.

**Public Comment - There was no public comment.**

### **Staff Recommendation**

Staff recommends denial of the application because the size and material of the bulkhead is not in keeping with the historic door and building and because it detracts from the streetscape.

**Motion:** Timothy Wesolek moved to continue the case until the hearing on January 13, 2011 with the applicants consent.

**Second:** Shawn Burns

**Vote:** 4 - 0

The meeting was adjourned at 7:55 PM.

Respectfully Submitted,

Shannon Albaugh

Administrative Assistant